

1 **ALVERSON TAYLOR & SANDERS**
2 KURT R. BONDS, ESQ.
3 Nevada Bar No. 6228
4 DAVID M. SEXTON, ESQ.
5 Nevada Bar No. 14951
6 6605 GRAND MONTECITO PARKWAY
7 SUITE 200
8 LAS VEGAS, NEVADA 89149
9 (702) 384-7000
10 efile@alversontaylor.com
11 *Attorneys for Plaintiffs*

12 **UNITED STATES DISTRICT COURT**

13 **FOR THE DISTRICT OF NEVADA**

14 **ABIGAIL RATCHFORD, ARIANNY**
15 **CELESTE LOPEZ, EVA PEPAJ, INA**
16 **SCHNITZER a/k/a JORDAN CARVER,**
17 **LUCY PINDER, RHIAN SUGDEN,**
18 **SANDRA VALENCIA, DENISE MILANI**
19 **a/k/a DENISE TRLICA, HILLARY HEPNER,**
20 **and JESSICA HINTON a/k/a JESSA HINTON**

21 Plaintiffs,

22 vs.

23 **CVSM LLC d/b/a CENTERFOLDS**
24 **CABARET**

25 Defendant.

26 Case No. 2:19-cv-01926-GMN-EJY

27 **STIPULATION AND ORDER TO**
ALLOW PLAINTIFF
REPRESENTATIVE TO REPRESENT
ALL PLAINTIFFS AT SETTLEMENT
CONFERENCE

28 COME NOW, Plaintiffs, by and through their counsel of record, David M. Sexton, Esq.
29 of the law firm Alverson Taylor & Sanders, and Defendant, by and through their counsel of
30 record Kevin M. Johnson, Esq. of the firm Cohen Johnson, and respectfully submit the following
31 stipulation requesting that the Court allow one Plaintiff with settlement authority to represent all
32

1 named Plaintiffs in this matter at the Settlement Conference currently scheduled for March 18,
 2 2021 at 9:00 AM.

3 **I.**

4 **INTRODUCTION**

5 This case is a dispute that revolves around the alleged misappropriation of Plaintiffs'
 6 images by Defendant. The Parties have completed significant discovery in this matter and
 7 submitted a stipulated request for a Settlement Conference to this Court on February 9, 2021. *See*
 8 ECF No. 36. The Court granted that request and scheduled this matter for a Settlement
 9 Conference on March 18, 2021 at 9:00 AM. *See* ECF No. 39. The Parties have discussed and
 10 agree that allowing the Plaintiffs to nominate one Plaintiff to represent all Plaintiffs at the
 11 Settlement Conference will allow the Settlement Conference to proceed in a timely and efficient
 12 manner. Pursuant to the agreement of the Parties regarding allowing one Plaintiff to represent all
 13 Plaintiffs at the Settlement Conference, the Parties submit this stipulation to the Court to request
 14 the Court's approval of this agreement and to allow one Plaintiff to appear at the Settlement
 15 Conference to represent all Plaintiffs.

16 **II.**

17 **PARTICIPATION IN SETTLEMENT CONFERENCE**

18 The Court granted the Parties' stipulated request for Settlement Conference on February
 19 10, 2021. *See* ECF Nos. 39 & 40. In the Court's Order Setting Settlement Conference, the Court
 20 stated the following: "Unless the Court orders otherwise, all parties must appear by Zoom at 9:00
 21 a.m. on March 18, 2021 for the duration of the settlement conference." ECF No. 40. Following
 22 the entry of this Order, counsel for all Parties conferred and it was agreed between all Parties and
 23 their respective counsel that, if the Court would permit it, Plaintiffs would be represented by a
 24
 25
 26

ALVERSON TAYLOR & SANDERS
 LAWYERS
 6605 GRAND MONTECITO PARKWAY
 SUITE 200
 LAS VEGAS, NEVADA 89149
 (702) 384-7000

1 single Plaintiff at the Settlement Conference, as long as this Plaintiff was authorized to represent
 2 the interests of all Plaintiffs and had authority to settle the matter for all Plaintiffs.

3 There are ten Plaintiffs in this matter, and they live in several different time zones in the
 4 United States and multiple countries, including the United Kingdom, Germany, and Colombia.
 5 This makes it difficult for all Plaintiffs to participate in a Settlement Conference at the same
 6 time. Along with the challenge of multiple times zones, just trying to coordinate the schedules of
 7 ten Plaintiffs, Defendant, and counsel (as well as a translator for Plaintiff Sandra Valencia) could
 8 potentially prove a significant obstacle. In order to avoid these issues and move forward with this
 9 case and the Settlement Conference in a timely and efficient manner, the Parties have discussed
 10 options and agree that allowing one Plaintiff to participate as a representative of the other
 11 Plaintiffs, and with authority to speak for them, is the best solution. The claims made by each
 12 Plaintiff are very similar (i.e., that their images were misused without permission, authority, or
 13 compensation in violation of state and Federal law) which reduces any problems that might
 14 otherwise arise from allowing one Plaintiff to represent all ten Plaintiffs. The Parties and their
 15 counsel have discussed this stipulation and agree that it is in the best interest of all Parties for the
 16 Court to allow this request. The Parties and their counsel further affirm that this stipulated
 17 request is made in good faith and not for any unfair or improper purpose.

20 **III.**

21 **CONCLUSION**

23 Based on the foregoing, the Parties hereby stipulate and agree to allow one Plaintiff to be
 24 appointed as a representative of all Plaintiffs and appear at the Settlement Conference in this
 25 matter on behalf of all Plaintiffs. The Plaintiff representative will have authority to speak for all
 26 Plaintiffs and agree to a settlement on behalf of all Plaintiffs. The Parties make this request
 27 pursuant to the Order of the Court stating that all Parties must appear at the Settlement

ALVERSON TAYLOR & SANDERS
 LAWYERS
 6605 GRAND MONTECITO PARKWAY
 SUITE 200
 LAS VEGAS, NEVADA 89149
 (702) 384-7000

1 Conference unless otherwise ordered by the Court. The Parties respectfully request that this
2 Court grant the foregoing stipulation.
3
4

5 DATED this 26th day of February, 2020.

6 **ALVERSON TAYLOR & SANDERS**

7 /s/ David M. Sexton

8 KURT R. BONDS, ESQ.
9 DAVID M. SEXTON, ESQ.
10 6605 Grand Montecito Parkway, Suite 200
Las Vegas, NV 89149
11 *Attorneys for Plaintiffs*

12 DATED this 26th day of February 2020.

13 **COHEN JOHNSON**

14 /s/ Kevin M. Johnson

15 H. STAN JOHNSON, ESQ.
16 KEVIN M. JOHNSON, ESQ.
17 375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
18 *Attorneys for Defendant*

19 **ORDER**

20 Upon stipulation of counsel, and for good cause as outlined above, the Court grants the
foregoing Stipulation and orders that one Plaintiff with authority to speak for and enter into a
settlement agreement for all Plaintiffs be permitted to attend the Settlement Conference as a
Plaintiff representative in place of all ten Plaintiffs being required to appear individually.

21 In accordance with the previous Order of this Court, the Plaintiffs' counsel shall contact
22 Elvia Garcia, Courtroom Deputy for the undersigned Magistrate Judge, by 12:00 p.m. on March
23 11, 2021, at Elvia_Garcia@nvd.uscourts.gov, and provide the identity and email address for the
Plaintiff representative who will be participating in the Settlement Conference.

24 **IT IS SO ORDERED.**

25 DATED: March 1, 2021

26 
27 Cayna L. Zouchal
28 UNITED STATES MAGISTRATE JUDGE